July 20, 2004

W. Kenneth Ferree
Chief, Media Bureau
Federal Communications Commission
445 12th Street SW
Washington, D.C. 20554

Re: In the Matter of Certification of Digital Output Protection Technology:
Digital Transmission Content Protection, Docket No. 04-64

Dear Mr. Ferree:

The Digital Transmission Licensing Administrator LLC ("DTLA") and the Motion Picture Association of America ("MPAA") wish to update the Commission on important developments concerning the DTLA request for certification in the above-referenced proceeding for the Digital Transmission Content Protection Technology ("DTCP"). In particular, DTLA is pleased to inform the Commission that it (along with its two Content Participants, Sony Pictures Entertainment and Warner Bros.) has completed its Work Plan for localization of protected content on home and personal networks, with respect to DTCP for Internet Protocol ("DTCP-IP").

DTLA's Certification submission explained that, in porting DTCP to the Internet Protocol, DTLA adopted several new provisions that helped to ensure greater localization of protected content. These included, setting the Time To Live ("TTL") parameter to no greater than 3; engaging Wired Equivalent Privacy ("WEP") or its successor methods of password authentication across wireless access points; and setting to 34 the number of authorized sink devices that can obtain content at any time from a single authorized source device using DTCP. In addition, as the Certification submission explained, DTLA agreed with its Content Participants in September 2003, to embark upon a two-phase, four-step Work Plan to develop improved methods for localization across reasonable and foreseeable network topologies for the interface protocols that currently may use DTCP protection. Pursuant to the request of the Commission, DTLA submitted the Work Plan into the record of this proceeding in conjunction with an ex parte letter filed by DTLA on June 1, 2004.

In January 2004, DTLA and its Content Participants completed Phase One Step 1 of the Work Plan with the determination of a Round Trip Time ("RTT") parameter value for DTCP-IP implementations. On June 3, 2004, DTLA and its Content Participants agreed that this additional localization element, in conjunction with the existing requirements for DTCP-IP, provided adequate and effective levels of localization protection such that the parties could agree that the Work Plan should be deemed completed with respect to DTCP-IP. (Work in Phase One

Step 2 continues as to the localization of additional protocols to which DTCP has been mapped, including IEEE 1394 and 1394-similar transports, USB, Bluetooth and MOST.)

Consequently, the Work Plan will be amended to reflect the completion of work on DTCP-IP, and DTLA is preparing an amendment to the DTLA Specification for DTCP-IP that will include the following elements:

- Source devices, as part of an AKE process, must conduct and pass an RTT test if the Sink device is not on the RTT registry.

- When RTT <= 7 milliseconds, the Sink device can be registered by the Source device; and content tracker is set to 40 hours.

- Sink devices will be removed from the registry after 40 hours of content transmission.

- Speculative RTT testing is permitted and, when passed, the Sink device can be added to RTT registry if not already registered; and content tracker is reset to 40 hours.

- Source devices shall expire their exchange keys within two hours after all content transmission has ceased.

DTLA has provided notice of these developments to its Adopters, and is preparing a draft revision of these Specification changes for circulation to our Adopters. Once the Specification becomes final, in accordance with section 3.3 of the Adopter Agreement (and, for entities that were Adopters prior to the issuance of the Specification for DTCP-IP, pursuant to the January 2003 Addendum to the Adopter Agreement), these changes will be required to be implemented within 18 months by Adopters that use DTCP-IP.

In accordance with past requests by the Commission, DTLA will submit for the record in this proceeding any amendments to the Work Plan and the informational version of any revisions to the Specification.

The Motion Picture Association of America member companies commend DTLA for having recognized the importance of localization, and for taking an active and leading role in the development of supplemental technologies to improve localization of audiovisual content protected using DTCP and to thwart the potential threat posed by encapsulation of protected content.

DTLA would also like to clarify its Reply comments with respect to one additional aspect of the MPAA Comments. Upon approval of DTCP by the Commission, DTLA is prepared to issue a separate “IP Statement” representing that neither DTLA nor the DTLA Founders will assert Necessary Claims in DTCP against a content provider, cable operator, satellite operator or broadcaster, that is not a Content Participant , when DTCP is triggered by the presence of the Broadcast Flag, so long as such entity correctly observes the DTCP encoding rule for “BF

Eligible Broadcast Television," which rule requires the encoding of the content as "EPN" (Encryption Plus Non-assertion). DTLA also will extend the representations in the revised IP Statement attached as Appendix 4 to DTLA's Certification to any such entity that wishes to permit the encoding with DTCP of other content in addition to "BF Eligible Broadcast Television."

The MPAA and its member companies express their continuing support for the request by DTLA for certification of DTCP as an authorized Digital Output Protection Technology for Unscreened and Marked Content, generically for all output protocols protected by DTCP.

Very truly yours,

C. Bradley Hunt
Sr. Vice President and Chief Technology Officer
Motion Picture Association of America, Inc.
15503 Ventura Boulevard
Encino, CA 91416
(818) 995-6600

Seth D. Greenstein
Chair, DTLA Policy Committee
McDermott Will & Emery LLP
600 Thirteenth Street, NW
Washington, D.C. 20005-3096
(202) 756-8088